

CHAPTER NO. 655

SENATE BILL NO. 2764

By Kilby

Substituted for: House Bill No. 2705

By Ferguson

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 10, relative to constables.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-10-119(b)(2), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(2) Shirts of either dark brown or white, at the discretion of the constable, displaying a patch of a design approved by the Tennessee constable association or the Tennessee constable council.

SECTION 2. Tennessee Code Annotated, Section 8-10-120(a), is amended by deleting the last sentence in the subsection and by substituting instead the following:

When adopted for use by a county constable, the stripe design and other emblems and lettering shall conform to the official uniform markings adopted by the Tennessee constable association or the Tennessee constable council on file with the director.

SECTION 3. Tennessee Code Annotated, Section 8-10-120(d), is amended by deleting the subsection in its entirety and by substituting instead the following:

(d) Any constable operating a patrol car and using the lights described in this section must have graduated from the last calendar date in-service sponsored by the Tennessee constable association or the Tennessee constable council.

SECTION 4. Tennessee Code Annotated, Section 8-10-201, is amended by deleting the section in its entirety and by substituting instead the following:

The Tennessee constable association or the Tennessee constable council shall develop and maintain a series of in-service education courses to be offered routinely throughout the year in the various divisions of the state. These courses shall be offered at nights or on weekends so as not to interfere with the constables' other full-time work. Courses offered shall contain information pertinent to the various aspects of civil and criminal process, firearms certification, and other issues relative to the powers and duties of constables. The constables shall pay costs of the courses unless state or local funds are made available. Upon completion of the in-service course, the Tennessee constable association or the Tennessee constable council will issue a certificate of completion to each officer.

SECTION 5. Tennessee Code Annotated, Section 8-10-203, is amended by deleting the section in its entirety and by substituting instead the following:

Constables must be range-qualified prior to being authorized to carry a firearm. Qualification may be sponsored by the Tennessee constable association, the Tennessee constable council, or by the local law enforcement authority.

SECTION 6. Tennessee Code Annotated, Section 8-10-205, is amended by deleting the section in its entirety and by substituting instead the following:

The county election council shall notify the Tennessee constable association or the Tennessee constable council within sixty (60) days of election of the constable. Where the constable is appointed by the county legislative body, the county clerk shall notify the Tennessee constable association or the Tennessee constable council within sixty (60) days of appointment of the constable. The council or county clerk shall provide the name of the county constable, the constable's current address, and telephone number.


SECTION 7. Nothing in this act shall be construed or interpreted to authorize any constable or any constable organization to alter or amend the requirements of Title 8, Chapter 10, Part 1, relative to authorized official uniforms for constables or the markings of constable patrol cars.

SECTION 8. The Tennessee General Assembly recognizes that the Tennessee constable council is a valid constable organization dedicated to enhancing the professionalism of Tennessee constables. The Tennessee constable council shall elect its own officers, set its own dues, determine its own eligibility requirements, and prescribe its own training and teaching requirements. No state funds shall be appropriated to the Tennessee constable council. The Tennessee constable council is not a governmental entity and is not subject to the governmental entity review law, compiled in Title 4, Chapter 29.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 3, 2004


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 14th day of May 2004


PHIL BREDESEN, GOVERNOR